

Approved for use through 3/31/2005. CNB 01  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Docket Number (Optional)

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

First named inventor: JOSEPH E. CASTERLINE

Application No: 10/612,526

Filed: 07/02/2003

Title: HYDRAULIC CONTROL SYSTEM FOR A VARIABLE COMPRESSION RATIO  
INTERNAL COMBUSTION ENGINE

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-8308

Art Unit: 3747

Examiner: KAMEN, NOAH P

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OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-8282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice of  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee  
☒ Small entity fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.  
☐ Other than small entity -- fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Reply and/or fee  
A. The reply and/or fee to the above-noted Office action in  
the form of CHECK (identify type of reply)  
☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.  
B. The issue fee and publication fee (if applicable) of \$ 1000  
☐ has been paid previously on \_\_\_\_\_  
☒ is enclosed herewith.

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to be derived by the  
USPTO to process an application. Confidentiality is governed by 34 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take about 10 minutes to  
complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any  
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,  
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED  
FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (II)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Joseph E. Casterline  
Signature

07/01/05  
Date

JOSEPH E. CASTERLINE  
Typed or printed name

4839 E. RAIL-N ROAD  
Address

Registration Number, if applicable

520925 7965

Telephone Number:

TUCSON, AZ 85739  
Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

JULY 1, 2005  
Date

Joseph E. Casterline  
Signature

JOSEPH E. CASTERLINE  
Typed or printed name of person signing certificate

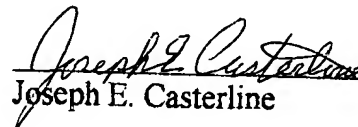
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Statement Explaining Reason for Unintentional Delay

During May, 2005, our son, Carl Casterline, was found dead in his apartment in Whitehall, Michigan.

My wife and I live in Tucson, AZ, and I have a health problem which precludes my ability to travel on short notice. Therefore, all arrangements have had to be conducted by phone. An autopsy has, so far, not revealed the cause of death and additional tests are being conducted. The shock, grief and multiple problems associated with this event caused me to lose track of patent deadlines.

  
Joseph E. Casterline

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